

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**
**2023/90668 - Grange Moor Coachworks, Barnsley Road, Grange Moor, Huddersfield, WF4 4DR**
**Erection of B2/B8 Industrial Unit and associated works**
**Date Responded:**  
**4<sup>th</sup> April 2023**
**Responding Officer:**  
**RM, NH & MN**
**Responding Ref:**  
**WK/202242075**
**Contaminated Land**

Our records indicate that the proposed development site is on an area identified as potentially contaminated land use due to its historical land use/s (site reference: 159/11 and 160/11). A Phase 1 Environmental Desk & Study by Rogers Geotechnical, dated 16th January 2022 (ref: C3224/22/E/4914) has been submitted in support of the application.

The report has identified several potential sources of contaminated land, associated with backfilling of the historic quarry onsite, opencast workings onsite and grange moor depot/garage off-site. The report continues to recommend a Phase 2 investigation including a detailed ground gas assessment, to consider the potential pollutant linkages identified in Table 8 of the report.

We accept the Phase 1 Environmental Desk & Study by Rogers Geotechnical, dated 16th January 2022 (ref: C3224/22/E/4914). However, our records indicate the disused quarry may have been filled with domestic refuse. We also note that in Paragraph 229 of the Design and Access Statement by Acumen Designers & Architects (ref: 2753) that a Phase II investigation is underway and:

*'...significant made ground/fill has been recorded in the quarried area in the southern section of the site (currently a field). Again, they are yet to confirm whether this backfill material is contaminated, but it is certainly not natural in nature and were construction to occur here, some remedial works could be necessary.'*

For these reasons, we consider there to be insufficient contaminated land information provided in support of the application. **Before the application is determined**, we require the submission of a Phase II investigation. Until then, we are unable to provide any additional contaminated land comments or recommend any conditions at this time.

**Noise**

The applicant has submitted a Noise Impact Assessment (NIA) authored by SRL dated 13 January 2023 Ref 81009-SRL-RP-YA-01-P1. It assesses the potential noise impact of the new building to nearby noise sensitive receptors (NSRs) to support the planning application. The report states the nearest NSRs are 1 Barnsley Road, located approximately 300m south-east of the proposed building and 2, 4 & 8 Liley Lane approximately 500m north of the proposed building. However, the report has overlooked the terrace of houses at 44–62 Wakefield Road, a distance of approximately 35m to the site boundary.

The NIA states that the relocation from premises c150m north of the site is not expected to result in any significant changes in traffic noise levels from the surrounding roads and this has therefore not been assessed in the report. It is our understanding that the applicant premises will be expanding, therefore there should be an increase in staff and business vehicles. No

detail is given on the existing numbers of staff vehicles and business movements but the application form does state there will be a total of 303 car parking spaces, indicating a significant increase.

Noise monitoring was conducted between the 13<sup>th</sup> and 14<sup>th</sup> of December 2022 from 4 monitoring positions which are shown in figure 3. Ambient levels were dominated by noise from regular local traffic passing the site and distant traffic on the surrounding road network. Maximum noise levels were generated by HGV passes in the daytime and by light vehicle passes at night and a summary of these findings are shown in figure 4.

The NIA proceeds to offer maximum plant noise limits for any fixed mechanical plant and based on library data, predictions have been made on the noise from vehicle movements and mobile operations on site. These predictions have been based upon the distances to the NSRs identified within the report i.e. Barnsley Road and Liley Lane and not from the identified NSRs at 44–62 Wakefield Road.

There are electrical services and a substation proposed as per the submitted drawing from Novo dated January 2023 Ref P1948-NOV-XX-XX-DR-E-9602 but no specific reference is made to them in the NIA. The applicant has not considered the low frequency emissions typical of transformers and substations along with any mitigation measures if deemed appropriate.

The findings of the submitted NIA are rejected and a condition is recommended for a further/addendum NIA to be submitted. The applicant will need to consider the identified NSRs, the increase in vehicle movements and the electrical substations and services plant.

### **Air Quality**

The site of the proposed development is not within an Air Quality Management Area or near to any roads of concern and for this reason an Air Quality Screening Assessment by SLR (ref: 81009-SRL-RP-YQ-01-S2-P2) (dated: 27<sup>th</sup> January 2023) has been submitted in support of the application.

The assessment details the changes in pollutant concentrations of nitrogen dioxides (NOX) and particulate matter (PM10) and (PM2.5) due to emissions generated by construction traffic and the additional road traffic once the proposed development is operational. The assessment was undertaken in accordance with national guidance.

### Construction Phase

A Dust Risk Assessment was undertaken in accordance with the Institute of Air Quality Management (IAQM) Guidance on the Assessment of Dust from Demolition and Construction (2016). This was to determine the impact of dust and particulate matter during the construction phase, caused by demolition, earthworks, construction and trackout on sensitive receptors within 50m of the site boundary.

The report concluded that the potential impacts of fugitive dust on local air quality was low risk, for dust soiling and for human health impacts. In summary it goes on to say that with the use of good site practice and mitigation control measures the effects of dust and PM<sub>10</sub> would be significantly reduced. Section 3.3 Table 7 of the assessment (pages 21-27) titled Dust Mitigation Measures lists the recommended mitigation measures specific to low risk sites.

### Operational Phase

A screening assessment for the operational phase was undertaken using Defra background concentrations and monitoring data provided by Kirklees Council to predict changes in pollution concentrations. This was based on 325 annual average daily traffic (AADT) movements associated with the site provided by Sandersons the Transport consultants for the project. The report concludes that the national air quality objectives will not be exceeded for NO<sub>2</sub>, PM<sub>10</sub> or PM<sub>2.5</sub> across the development site, and therefore a detailed air quality assessment would not be necessary.

To offset the impact of the development on air quality it is noted that the proposal includes 25 electric vehicle charging points and a public charge point/layby to the south of the proposed development with 4 parking spaces to be used for charging electric vehicles.

We accept the Air Quality Screening Assessment by SLR.

### **Hours of Use**

The application proposes opening hours of 0800hrs to 1800hrs – Mon to Fri ONLY. We accept this proposal and recommend a condition to secure this in order to protect amenity to nearby residential properties.

### **Electric Vehicle Charging Points (EVCP)**

We note that the application includes proposals to provide 25 EVCPs and a public charge point/layby to the south of the proposed development with 4 parking spaces, with facilities for 'superchargers or similar' to be used for charging electric vehicles. This is welcomed and we recommend a condition requiring the technical details of the proposed scheme.

### **Loss of amenity caused by the construction of the development**

Because of the large scale of the development and the proximity of residential/ commercial properties to part of the site boundary there is a significant potential for loss of amenity to the occupiers of nearby properties from noise, vibration, dust and artificial light from the construction phase of the development. We therefore recommend a condition requiring a Construction Environmental Management Plan (CEMP).

### **External Artificial Lighting**

We acknowledge receipt of the NOVO Drawing P1948-NOV-XX-EX-DR-E-9601-P01 Electrical Services Site Plan External Lighting Strategy Layout (dated: Jan 2023). However no other detailed information relating to the external artificial lighting, and measures that will be taken to minimise or eliminate glare and stray light has been provided. Therefore, we recommend a condition requiring a detailed lighting scheme to be submitted.

### **Foul Drainage**

It is unclear from our mapping systems if a connection to the main foul sewage system is available to the site. Therefore, we require clarification as to the suitable means of disposal of foul water.

### **Recommendations**

**Before the application is determined**, we require additional information in relation to contaminated land and foul drainage at the proposed development.

**NC8 Noise Report required for proposed noise generating use close to existing noise sensitive premises - Condition**

Before construction work commences, a further/addendum Noise Impact Assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- a) an assessment of all of the noise emissions from the proposed development
- b) details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises i.e. 44 Wakefield Road, Grange Moor, WF4 4DS
- c) a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

**Reason:** To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

**NF4 Competent Person - Footnote**

All noise assessments should be carried out by a competent person. The applicant may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.

**HUC2 Hours of Use for Commercial/Industrial - Condition**

The premises shall not be operational, outside the hours of 08:00hrs and 18:00hrs Monday to Friday only, including deliveries to or dispatches from the premises. No activities shall take place on Saturdays, Sundays or Bank Holidays.

**Reason:** To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

**EVC1 Electric Vehicle Charging Points - Condition**

Before the electrical system is installed a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet the requirements of the current West Yorkshire Low Emission Strategy (WYLES) document. The approved dedicated facilities for charging electric vehicles shall be installed prior to occupation and retained for use thereafter.

**Reason:** In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

**EVF1 Electric Vehicle Charging Points – Footnote**

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.
- The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.

**CEMPC Construction Environmental Management Plan - Condition**

Prior to development commencing a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- A Dust Mitigation Plan as proposed in the Air Quality Screening Assessment by SLR (ref: 81009-SRL-RP-YQ-01-S2-P2) (dated: 27<sup>th</sup> January 2023). To control dust arising from all construction related activities, including measures to monitor and record the emissions of dust during construction.
- Artificial lighting used in connection with all construction related activities and security of the construction site.

A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local Authority must be included.

The agreed plan shall be adhered to throughout the construction of the development.

**Reason:** To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan.

**CEMPF Construction Environmental Management Plan - Footnote**

Noisy construction related activities should not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays

Institute of Air Quality Management document “*Guidance on the assessment of dust from demolition and construction*” Version 1.1 2014 provides detailed information regarding dust control.

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

**LC1 External Artificial Lighting - Condition**

Before the installation of external artificial lighting commences a lighting scheme shall be

submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:

- a) The proposed hours of operation of the lighting
- b) The location and specification of all of the luminaires
- c) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.
- d) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
- e) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme.

**Reason:** To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the NPPF and LP52 of the Local Plan.

#### **LF1 Artificial lighting - Footnote**

The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the *“Guidance Note 01/21 for the Reduction of Obtrusive Light”* by the Institution of Lighting Professionals: 2021 [www.theilp.org.uk](http://www.theilp.org.uk). The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for the corresponding Environmental Zone E2.